IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 18988 of 2002

Between:

K. Raghu Mohan Reddy, S/o. Mohan Reddy
R/o. 10-72, Baharpet, Parigi,
Rangareddy District.

..... PETITIONER

AND

1 The Joint Collector, A.P.State Civil Supplies Corporation Limited.,
Rangareddy District, Hyderabad.
2 District Manager, A.P. State Civil Supplies Corporation Limited,
Ranga Reddy District, Hyderabad.
3 M. Narotham Reddy, S/o Srinivasa Reddy,
Nagaram Village, Dhavur Mandal,
Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not following the condition No. 2 of the Tender Notice in Lr.No.Movt.5(1)/2002 dt. 9-9-02 is illegal, arbitrary and discriminatory and suffers from vice of malafides apart from being violative of Article.14 of the Constitution of India and consequently direct the Respondents to finalise the contract strictly in accordance with Tender Notice dt. 9-9-2002 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.J.RAMACHANDRA RAO

Counsel for Respondent Nos.1 and 2: G.P FOR CIVIL SUPPLIES

Counsel for Respondent No.3: MR.M.B.THIMMA REDDY

The Court made the following :

ORDER:

The first respondent herein invited sealed quotations for transportation of Food Grains like rice, wheat, sugar and Palmolive oil under PDS, NERP, RLGP, RPUS, Mid day meals and Food for work scheme from various Mandal Level Stockist points to the Fair Price Shops in as many as 12 Mandals of Ranga Reddy District. As per the terms and conditions, the period of contract will be two years from 01-11-2002 to 31-10-2004. The petitioner, who is the transport contractor, filed the writ petition aggrieved by the award of the contract to the third respondent on the ground that the latter is not qualified.

This Court while admitting the writ petition passed interim orders directing to maintain status quo, if the tender in question has not been finalized. The application filed for vacating the said interim order, being W.V.M.P.No.3497 of 2002, was also rejected. Be that as it is. As the contract itself was for a period of two years till 31-10-2004, notwithstanding the various contentions raised herein, it would not be appropriate to deal with the questions as the relief has become infructuous. However, if any fresh tender is issued, it shall be open to the petitioner to participate in the tender, if he is eligible and qualified.

The writ petition, with the above observation, is dismissed. No costs.

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(V.V.S.RAO, J)

07-06-2005

vs

To

1 The Joint Collector, A.P.State Civil Supplies Corporation Limited.,
Rangareddy District, Hyderabad.
2 The District Manager, A.P. State Civil Supplies Corporation Limited,
Ranga Reddy District, Hyderabad.
3 Two CCs to the G.P for Civil Supplies, High Court of A.P.,

Hyderabad(O.U.T).

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